World Chronicle

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For Human Rights

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50th ANNIVERSARY OF HUMAN RIGHTS

The promotion and protection of human rights has been a major preoccupation for the United Nations since 1945 when the Organization's founding nations resolved that the horrors of the Second World War should never be allowed to recur. Respect for human rights and human dignity "is the foundation of freedom, justice and peace in the world", the General Assembly declared three years later when it adopted the Universal Declaration of Human Rights. Mary Robinson, the UN High Commissioner for Human Rights, discusses how this historical declaration made a significant difference in people's lives over the past five decades.

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ANNOUNCER:

From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues.

Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle.**

As the world celebrates the fiftieth anniversary of the Universal Declaration of Human Rights, the issue continues to be controversial. There is probably no country anywhere in the world where some aspect of either political and civil rights or economic and social rights is not politically sensitive. Has this historic declaration made a significant difference in people's lives over the past five decades?

Our guest today is in a unique position to answer this question. She is Mary Robinson, former President of the Republic of Ireland, who is the United Nations High Commissioner for Human Rights. Joining me to talk with Mary Robinson is Afsane Bassir-Pour of *Le Monde* and Bhaskar Menon of *International Documents Review.*

Mrs. Robinson, welcome to **World Chronicle**.

ROBINSON: Thank you.

LITTLEJOHNS: Madame High Commissioner, for a couple of minutes let us not talk about the five decades but the year or more that you have been on the job. Have you, since you stepped down as President of Ireland, have you noticed any radical change, has there been an improvement in the human rights situation from your experience? You've travelled quite widely in your post pursuing your mandate have things improved a bit?

ROBINSON: I have been getting to know both the detail and the complexity and I would not use the word celebration for the 50th anniversary. I would say we mark it, and we should, and we can talk about lots of reasons why. But when you look at the situation as I certainly have had a number of opportunities to witness firsthand – I just came back from Columbia, for example – and there is no cause for celebration. We have a lot of real work to do and if we are going to respond to division and leadership of 50 years ago, then we have to be practical about making human rights real where it matters – at the grassroots

level, from the bottom up and in participation ...

LITTLEJOHNS: So what you are saying really is that the situation is still pretty bad?

ROBINSON: I think a lot has happened. The laws have been put in place, international covenants and conventions, mechanisms as we call them – strange word, the rapporteurs, the working groups. But what we now need to do is to implement in the small places that Eleanor Roosevelt talked about and we do that through ...

LITTLEJOHNS: She was one of the principal architects?

ROBINSON: She is one of the principal architects of the Universal Declaration and she really did understand that it would not matter unless it mattered to the woman and man and child and old person and migrant and indigenous person in their lives and that we have not made it happen yet. But there are a lot of people working for human rights that were not as active fifty years ago. There's a potential global community. And I think one of my tasks, I am not quite sure how to address it but I know it's there, is to gather in the resources and vitality and to link governments, who still have the main responsibility, the international organizations and, of course, the United Nations, principally in this but also regional and sub-regional organizations and then a vast array of non-governmental organizations, academic institutions ...

LITTLEJOHNS: Human Rights Watch, for example.

ROBINSON: Yes, very skilled, very experienced groupings. Also development bodies, these environmental bodies all have a role in our perception of human rights as the Universal Declaration reminded us. Poverty is a terrible deprivation of human rights just as torture and disappearances and killings and these are all the links we have not made properly. We still have so much to do and we need to recharge the batteries and get on with it.

MENON: Let me try and put that into a longer term perspective. Supposing you were looking back at our present from the middle of the next century what would you say were the significant things happening now that will be meaningful to the world half a century later?

ROBINSON: I would say it would be the potential to communicate and to link and to develop awareness and to do the job of advocacy about human rights and to build the capacity locally.

MENON: But if you really have ways of looking back would you see say something that had happened in the last few years was of tremendous significance in the way human rights evolved – the way the situation evolved in the world?

ROBINSON: I think we would have to say that the end of the Cold War with the initial hope which I recall so well in 1989-1990, windows, doors seemed to be opening and that was a time when it would have been potentially possible to move forward and yet, in fact, what happened was a different sort of politicizing – more on the North/South divide. And I have been very conscious as High Commissioner of being a bridge in human rights to prevent that – the divide.

MENON: When for instance you go to a country like China what kind of response do you get from the government?

ROBINSON: The visit to China was a very serious one because it was not just a visit. On both sides we saw it as part of an important process which would continue and is now continuing. And part of the complexity of my own position, and that of my colleagues, is that we are not like an NGO for human rights. We have a mandate to work with governments and to criticize governments and to work for changes that governments will bring about and speak on behalf of victims. So it's quite complex. And in the context of China, it's a country in a transition which is of enormous importance in the area of human rights. They have signed both covenants and are in the process of ratifying. It's part of my responsibility, with my colleagues, to bring home the differences one has to make. We are not just talking with paper words, we're talking about making a difference in small print but also in reality. Then the realities that they confront me with – too few lawyers in China. They only have about a hundred thousand practising lawyers for 1.2 billion people. So there's a lot of capacity building that we have to do and we have to promote more understanding of the way to get there.

MENON: Do the Chinese see the absence of lawyers as something to remedy?

ROBINSON: Yes. It was in fact raised by the Minister of Justice. I felt almost tackling it like the Irish weather problem – if we could spread some of the Irish rain in exchange for some – maybe we could spread a few lawyers. But more seriously, they are interested in what I call this domestic national building of capacity in human rights. We must get over what used to be a kind of neo-colonialism, you know, we'll help you and show you how. Instead we must actually and let it come from within, the sense of the importance of human rights and building in an independence about it, creating space in countries, culturally, having a dynamic of human rights from within and that's not so easy particularly when cultures have not had that experience.

BASSIR POUR: I would like to address Kosovo. In Kosovo something very new happened – a military organization asserted their right to intervene in a sovereign country on behalf of the people. Now the Americans are saying this is a very positive precedent and of course the Secretary-General cannot say that because as you pointed out, he has to work with governments. Now what is your opinion of this? Was this a precedent-setting event and was it positive?

ROBINSON: I think Kosovo is very chastening for anybody who cares about human rights. At one of my first meetings of an Executive Committee here in New York as High Commissioner last October, Kosovo was on our agenda that things might worsen. And we are supposed to be in the age of prevention of human rights violations and we never addressed sufficiently what might be done in the way of prevention. Now prevention should have happened much earlier because the seeds of this conflict were there, the repression of the expression of the culture and identity and language and economic development of a people – 90 percent of a people in a region. I am not encroaching on the directly political there. These are the seeds of actual individual repressions that can then in the context particularly of our modern environment become ethnic hatred which can last for decades, maybe centuries. And that to me is the tragedy of what has happened in that whole region of the former Yugoslavia, which is now happening in Kosovo. Lives are being destroyed and hatreds are being built up and as a community, as a world community concerned about human rights, we do not resource sufficiently all the ways in

which we must tackle this at all the different levels. To me the least satisfactory approach obviously is to come to the stage of threatening major military intervention. That is a total failure of what we should have been doing.

BASSIR POUR: But it was a precedent. You do agree that it was a precedent? That's a military intervention on behalf of the people against their own leaders. Is that acceptable to you as ....

ROBINSON: I believe, as I said, that it represents a major failure to address the issues that gave rise to the conflict and the way in which the conflict itself has been evolving and I have colleagues on the ground in Kosovo. We are trying to increase the number of human rights monitors there because the observes of OSCE do not have a human rights mandate and it is very necessary to have the first hand witness and have the real sense of breaking impunity – that you won't get away with this mass violations, that you will be brought to book.

MENON: But that raises the question of what you mentioned earlier about the cultural space for the exercise of human rights. Does that space exist in most societies now or is it a particular virtue of some societies?

ROBINSON: I believe there is a lot to be done and we is also have to believe in the universality of human rights. It's not a western ideal.

MENON: No, I am not questioning the value, the value should be universal. I am wondering whether given the current state of the world you look at societies in the Middle East, not mentioning any particular one, the basic cultural attitudes of ordinary people – they are not democratic. There is a certain level of violence and attitude towards opposition that is not democratic. Given that, what expectation is there that a value system that says that you will be democratic and respect other people's rights will be able to survive in such an atmosphere?

ROBINSON: I think there is an interest in, even a hunger for education about human rights. That's my experience, including in countries where I have been really very interested at the vigour of the debate. I was in Tehran in late February/ early March because our office had a workshop for the Asia Pacific countries that was taking place in

Tehran and in fact it achieved a framework for technical cooperation in human rights between the countries. That's the beginning of a process, if I can put it that way. But I met NGOs, I met women's groups and they hunger for more information on women's rights, children's rights, how they could use the international standards. And I believe that there is a need to bring that message to encourage, to develop the spaces and what I, if you like, feel about the universal Declaration and its importance is that it was the first international statement. It made it clear that these are rights of individuals, not of states. It put the responsibility on states, and then ....

MENON: Won't those leaders see that as a threat?

ROBINSON: I was going to say it – more or less left it then as a framework. And that was a framework that may have been sophisticated and complex fifty years ago but we know that that is not enough in itself. And that's why I believe it is so important to have the dynamic of the capacity to have global alliances – loose, interesting, interactive alliances – because not only is human rights about standards and dignity of the human person, It is also about participation. It's about participation of the government that governs you and the decisions that are taken, the issues that affect your life with the environment, development, combatting poverty.

BASSIR POUR: Do you think the more people learn about human rights and the more aware they are of their own rights, the more there will be erosion of their sacrosanct notion of sovereignty of states?

ROBINSON: Yes, in the sense that I think already there has been over the last fifty years a very significant acceptance that human rights don't stop at borders of states. That's very important and it's part of the adherence to international covenants and treaties, the acceptance of special rapporteurs' visits, the way in which the Commission on Human Rights in Geneva each year looks at the situation within countries. And the more that happens, I believe, the more it will help to develop this culture and education and awareness about human rights. And we never had such an opportunity as we have now to communicate and to build up national capacities. In early July, I was in Durban for the second African meeting of national human rights institutions and there was 16 national

human rights institutions from 16 countries of Africa there. Six other countries had sent observers because they are in the process of developing national human rights institutions. These are bodies that examine complaints against the police, the roles of military, discrimination against ethnic groups and these are difficult issues. And to build capacities from within it seems to me to be a vital part of ensuring that we are talking about the reality of human rights. But I am also very aware of gross violations. We have two genocidal killings. I have been four times to Rwanda. I saw the museum in Phnom Penh, in Cambodia. There are also terrible – this terrible violence in countries in transition, particularly against women, and I think this is one of the areas that our modern world has to address – trafficking and domestic violence and violence in conflict. Rape, I am glad, is now recognized as a war crime and these are very, very serious issues which we must address or do it by harnessing all the energies.

LITTLEJOHNS: This is **World Chronicle**. Our guest is Mary Robinson, United Nations High Commissioner for Human Rights. Speaking of women's rights, Madame High Commissioner, is there any chance you might be able to go to Afghanistan where, of course, they are treating women abominably?

ROBINSON: I am certainly discussing actively with my senior colleagues here in New York the way in which the United Nations can return in a collegiate way into Afghanistan. That would include with human rights officers there. And I would regard it as being on the agenda of two potential visits because there are so many issues. And if a whole country underestimates the potential of more than half of its population, the women, it's a terrible tragedy for all of that population – women, children, men, old people – and it's evident in schools, it's evident in health care, it's evident in the repression of potential of people. And Afghanistan sadly represents that at the moment but we are addressing it very actively.

BASSIR POUR: We speak about so many countries and never about Iraq. I am very surprised, whether it's the humanitarian affairs here at the UN, whether it's your Office, about the rights of these people that are being violated both by their governments and by the UN itself that has imposed these sanctions. Nobody seems to say anything

about what's happening to a whole nation.

ROBINSON: Now that is, I think, being discussed very actively both in the political issues which are very serious, but also the humanitarian issues and both UN agencies and NGOs have been working and discussing issues ...

BASSIR POUR: But you agree with me it's not something that we seem to hear about a lot. I mean, it's Kosovo, Afghanistan, even the Sudan sometimes we talk about. Iraq, it is as if, you know, they deserve this. For eight years, these people deserve this life that they live in.

ROBINSON: Perhaps it's because I have been involved with some debate I don't quite agree. I do hear the very direct concern about those who suffer and it is a concern about sanctions that they bear most heavily on those who are most vulnerable but also governments have a huge responsibility in relation to that.

MENON: Going back to the same, I mean, continuing on the same line, you spoke earlier about the mechanisms of human rights implementation of observance. Over the last fifty years, the international community put in place six major mechanism as it were – civil and political, economic and social, women, children, torture and so on – but the chairpersons of all these oversight bodies for these conventions met last month in September and they said that they were not being given enough resources, that they did not have enough staff support, that in fact the reform of your Office had denied them the early support that they already had. Why is this happening?

ROBINSON: There is an under-resourcing, I fully agree with them, and I' m making this point myself both of my Office in its work and our work in support of what the treaty bodies do and what special rapporteurs, working groups do. So during this year, we heard a lot of rhetoric. I think we also need to have regular budget support and also what is known as ...

MENON: How much of the UN budget do you get?

ROBINSON: 1.67 percent.

MENON: Which was in dollar terms how much ?

ROBINSON: In dollar terms about 40 million dollars.

LITTLEJOHNS: That's a laughable amount.

ROBINSON: Yes. It's an indication of how much we need to do to bring home that if we want to make a change we must also have resources to doing it.

MENON: But it's indicative also of government hypocrisy. They talk a lot and don't do much.

ROBINSON: I think that the establishment of the Office of High Commissioner was a breakthrough and it took many years of discussion. It is only five years old as an office. It was created just less than five years old and there is a lot of shaping of the work of the Office. I have found that where the emphasis is on helping governments to develop their own capacity in human rights there is support from every region and high priority. And I believe that this is an important development where it is necessary to criticize governments on particular issues of torture, of disappearances, of their human rights record. That obviously it's an awkward voice and I have accepted that being High Commissioner, it is necessarily an awkward voice.

MENON: That was in fact also one of the interesting things in the report of the meeting of the chairpersons of these treaty bodies is that they said that the number of communications on the issue of torture was growing tremendously whereas racial discrimination had petered out. Is there a trend here?

ROBINSON: I don't believe that, sadly, there is a trend of racial discrimination petering out. We are going to have a world conference on racism which my office will take a major responsibility for and I believe it's vital that we address in all countries and regions the way in which we have again the seeds of racism, xenophobia, what was thought to be put an end to fifty years ago after the horrors of the Second World War and the Holocaust and so on – never again. And yet we see again and again, and we see it in relation to asylum seekers and refugees and we see it in countries that thought they were quite proud of their pluralistic record. So that world conference on racism will be very important. It's to take place in the year 2001 and we will be beginning the preparatory arrangements for it. But also torture is, alas, not on the decline and we are recognizing the long term effect on torture victims and our Office administer a fund for small NGOs and

we also support rehabilitation and we work with Physicians for Human Rights and other groups.

BASSIR POUR: Can I get a word in it first. Since he did not follow up on my question as he said he would, I would like to go back to sanctions. Now you agree that the sanctions are blanket and they are blunt instruments. I see more and more we're talking about targeted sanctions, one of these targets being the head of the government, the offending government as with Milosovic. Now could this be done? Is it feasible for example to document crimes against humanity of Iraqi President, Saddam Hussein, or another president? Could this be done, as far as you are concerned?

ROBINSON: Yes, I think there is a recognition of the need to be more targeted. I have even heard the word smart sanctions.

BASSIR POUR: Exactly.

ROBINSON: And that's because the evidence is there that sanctions do bear more heavily on the more vulnerable sectors. Also sanctions work more effectively when a regime is democratic. But most of the regimes against which sanctions are imposed are not democratic and there are so many ways – black market and use of power to evade. So it is necessary to individualize the real pain of sanctions and that is part of the reason why it is so important to have an international criminal court. It's the last great institution of this century and it is vital that it be brought into effect and that it brings to responsibility.... It's a message that would do a great deal for human rights if those who are heads of state or governments or have the power in a military context to commit gross violations and felt, you know, you can run but you cannot hide, we will find you. It may take time, the system is not perfect, but you will be brought to book, will be the most important message. And at the end of this century and the beginning of the next one as we also send the different messages about the empowering of human rights in that broad sense and the difference it can make to people's lives.

LITTLEJOHNS: General Pinochet, the former President of Chile, was arrested in London as an alleged international criminal. Do you think that was a good idea to grab him when he was in London?

ROBINSON: I think the message it sent was very powerful and if that message was sent to those who perpetrate gross violations of human rights around the world, and if it was made effective, that would have a huge impact and it is one of the ways of addressing the problem.

BASSIR POUR: When are we likely to see you in the Security Council? I hear, I won't name countries on this show, but some people didn't want you to be involved regularly and brief the Council. When is that going to happen?

ROBINSON: Well, the reform proposals of the Secretary-General made it clear that human rights are a core cross-cutting value and I am, my Office is a member of all four executive committees, including the Executive Committee on Peace and Security, and we are increasingly working very closely with DPKO. In fact, it may seem strange ...

LITTLEJOHNS: Department of Peace-Keeping Unit.

ROBINSON: That's the Peace-Keeping Unit and we are about to sign a special agreement with them. That's why it seems strange between two different parts of the UN but it helps the approach and that is because we want to influence the mandates for peace-keeping so that they have human rights there from the very beginning as part of analysing the roots of the conflict, addressing how to cope with a conflict and post-conflict building. And after the peacekeeping has left human rights continues into developmental and is always there in the humanitarian context. So it's a continuum of concern.

BASSIR POUR: And the Council itself?

ROBINSON: I think that this will be more and more evident in the Council. Already, it's becoming – it's emerging in debates and I am confident that it will continue.

LITTLEJOHNS: Mrs. Robinson, we have only about half a minute left. How do you compare your present job with that of President of Ireland?

ROBINSON: It's much harder. Being President of Ireland was an anchored in an extraordinary interest in seeing my people and country develop and link in with the Irish diaspora around the world. Human rights globally, it's much harder to tell the story and it's harder to build the kind of alliances but it is **the** real task and to have a coherent global alliance for human rights.

LITTLEJOHNS: Mrs. Robinson, that's all the time we have. Thank you for being with us on this edition of **World Chronicle**. Our guest has been Mary Robinson, former President of the Republic of Ireland, who is the United Nations High Commissioner for Human Rights. She was interviewed by Afsane Bassir Pour of *Le Monde* and Bhaskar Menon of *International Documents Review*. I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle**.